

Terms of Reference

Name: Planning Advisory Committee

Date Established by Council: September 28, 2018 (Amended Procedural Bylaw)
(Terms of Reference approved December 11, 2018)

Mission:

The Planning Advisory Committee is established as per the requirements of Section 8(1) of the Planning Act that requires all single-tier municipalities to appoint a Planning Advisory Committee. The objective of the Planning Advisory Committee is to provide recommendations to Council on all Planning applications and policies including holding Statutory Public meetings.

Roles and Responsibilities:

It is the responsibility of all appointed Members to comply with:

- the City Code of Conduct for Committee Members;
- the City Procedural By-law;
- Other applicable City by-laws and policies;
- Municipal Act;
- Municipal Freedom of Information and Protection of Privacy Act; and,
- Municipal Conflict of Interest Act.

No individual member or the Committee as a whole has the authority to make direct representations of the City to Federal or Provincial Governments.

Members shall abide by the rules outlined within the Municipal Conflict of Interest Act and shall disclose any pecuniary interest to the Recording Secretary and absent himself or herself from meetings for the duration of the discussion and voting (if any) with respect to that matter.

The Committee will abide by any terms and conditions which may be set out by the City's Council, CAO, City Clerk, City Solicitor, Auditor and/or Insurer for any activities relating to Committee business in keeping with the Committee's Terms of Reference and established Policies.

Activities:

The following represents the general activities of the Committee:

1. Make recommendations to Council on all planning applications, policy initiatives and By-laws and general planning information.
2. Hold Statutory Public meetings as per Sections 17, 34 and 51 of the Planning Act.

Composition:

The Planning Advisory Committee shall consist of seven (7) Members, being the Mayor, three (3) Members of Council, and three (3) Members of the public. Two (2) alternate Council Members for the Planning Advisory Committee are to be identified and called upon to attend to ensure that a quorum is met when it becomes apparent that a member is not able to attend.

Appointment of Officers:

The Committee shall, at its first meeting in each year, elect from its Membership a Chair and Vice-Chair. It is acknowledged that there are no per diems for any Committee positions and it is acknowledged that none of the above positions shall be paid for their services. All Committee Members are considered volunteer positions.

Term of Appointment:

Unless exempted by legislation, Members will be appointed for the term of Council. Members shall continue to serve beyond the end of their term until the appointments of their successors have been approved by Council.

Resources:

The Development Services Department will provide support in the form of advice, day-to-day liaison with the Committee.

A member of staff shall be designated as Recording Secretary by the City Clerk's Office. The Recording Secretary shall prepare and publish agendas, attend all formal business Committee Meetings for the purpose of taking Minutes, and prepare and publish minutes in an accessible format acceptable to the City Clerk's Office.

The liaison department shall ensure that a current Terms of Reference for the Committee has been provided to the City Clerk's Office and is posted on the City website.

Timing of Meetings:

Regular Committee Meetings will generally be held on Wednesdays, as per the Council adopted annual calendar, commencing at 1:00 p.m. Special Committee Meetings will be held on a set day and time as may be determined by the Head of Council or at the call of the Chair.

Location of Meetings:

The Committee meetings will be held in Council Chambers, City Hall, or alternatively at another accessible City facility.

Meetings:

Council shall adopt an annual calendar for each year setting the Regular Planning Advisory Committee Meeting Dates. . The Head of Council or the Chair may at any time, summon a Special Committee Meeting with twenty-four (24) hours' Notice through the City Clerk's office to the Members.

The Chair, through the City Clerk's Office shall cause notice of the meetings, including the agenda for the meetings, to be provided to Members of the Committee and posted to the City website not later than the Wednesday preceding the week in which the Meeting is to be held. Where that Wednesday is a statutory holiday, the material shall be distributed on the preceding Tuesday through the Recording Secretary.

For Special Planning Advisory Committee Meetings, the City Clerk shall forward to Members all Agendas a minimum of one business day in advance of the Meeting through the Recording Secretary.

Quorum for meetings shall consist of a majority of the Members of the Committee. No meeting shall proceed without quorum.

At the first meeting of each year, an Orientation Session shall be held for all new Committee Members.

Procedures:

Procedures for the formal business meetings of the Committee shall be governed by the City's Procedural By-law and Legislation or, where both of these are silent, by Robert's Rules of Order.

Closed Meetings:

The Committee shall not be permitted to hold Closed Meetings.

Agendas and Minutes:

A copy of the Agenda shall be provided to the City Clerk's office at the same time it is provided to Committee Members. The City Clerk's office will distribute the agenda to Council Members as per established procedures.

Minutes of all formal business meetings of the Committee shall be forwarded to the liaison department, and to the City Clerk's Office, not later than one week after the meeting. The City Clerk's Office will electronically circulate the formal business meeting minutes to all Members of Council by including them on a Regular Council Meeting agenda. The City Clerk's Office will maintain a set of printed minutes on file for public review.

The Recording Secretary shall ensure that all Committee Agendas and Minutes are posted to the City website at the same times as they are circulated to the City Clerk's Office.

Reports:

If there are recommendations of the Planning Advisory Committee that fall outside of their delegated decision-making scope, they are to be forwarded to Council, through the liaison department in a formal written report on the City report template. It will be the responsibility of the Committee Chair to provide a memo to the liaison department identifying the Committee recommendations for final preparation of the report.

Purchasing Policy:

This Committee has no purchasing or procurement responsibilities.

Insurance:

The City of Kawartha Lakes' General Liability Policy and Errors and Omissions Liability Policy will extend to this Committee and its Members. The applicable insurance policies extend to Committee Members while in the performance of his/her duties and to those activities authorized by the City of Kawartha Lakes and Council. Members must adhere to the policies

and procedures of the City of Kawartha Lakes and Council, including this Terms of Reference.

The Committee must provide, via the liaison department an annual updated listing of all Members, including member positions, to the City of Kawartha Lakes to ensure the applicable insurance coverage remains in force.

Committee Members are not entitled to any benefits normally provided by the Corporation of the City of Kawartha Lakes, including those provided by the Workplace Safety and Insurance Board of Ontario ("WSIB") and are responsible for their own medical, disability or health insurance coverage.

Expulsion of Member:

Any member of the Committee who misses three consecutive formal business meetings, without being excused by the Committee, may be removed from the Committee in accordance with adopted policy.

Any member of the Committee may be removed from the Committee at the discretion of Council for reasons including, but not limited to, the member being in contravention of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act, the Provincial Offences Act, The Municipal Conflict of Interest Act or the Code of Conduct for Committee Members; disrupting the work of the Committee; or other legal issues. The process for expulsion of a Committee member is outlined in the City's **Council Committee, Board and Task Force Policy**.

Terms of Reference:

The Recording Secretary shall ensure that a current Terms of Reference for the Committee has been provided to the City Clerk's Office and is posted on the City website.

Any responsibilities not clearly identified within these Terms of Reference shall be the responsibility of the City of Kawartha Lakes. Council may, at its discretion, change the Terms of Reference for this Committee at any time. Any changes proposed to these Terms of Reference by the Committee shall be recommended to Council via the liaison department through a report to Council.